

MINUTES
TOWN COUNCIL OF THE TOWN OF INDIAN RIVER SHORES
REGULAR COUNCIL MEETING
Thursday, October 27, 2005
3:30 p.m.

PRESENT: Thomas W. Cadden, Mayor
David J. Becker, Vice Mayor
Frances F. Atchison, Councilmember
E. William Kenyon, Councilmember

STAFF PRESENT: Robert J. Bradshaw, Town Manager
Laura Aldrich, Town Clerk
Hugh Cox, Chief of Public Safety
Richard Jefferson, Building Official
Chester Clem, Town Attorney

ABSENT: William H. Ahrens, Councilmember (Excused)

1. **Call to Order.** Mayor Cadden called the meeting to order at 3:30 p.m.
 - a. Pledge of Allegiance
 - b. Invocation - Councilman Kenyon
 - c. Roll Call
2. **Consent Agenda.**
 - a. Approval of 1st Budget Public Hearing Minutes of September 8 and 17, 2005
 - b. Accepting and Filing of Planning, Zoning and Variance Board meeting minutes of September 12, 2005
 - c. Approval of the Regular Town Council Meeting Minutes of September 22, 2005
 - d. Approval of 2nd and Final Budget Public Hearing Minutes of September 22, 2005
 - e. Accepting and Filing of Building & Grounds Committee Meeting Minutes of October 19, 2005
 - f. Approval of Invoices from John Ferraro for Building Dept. scanning and indexing of 92,981 documents in the amount of \$17,721.35

Mayor Cadden announced that he was asked to pull items "a" and "d" from the consent agenda, asking for **a motion on the remainder of the consent agenda.** The motion to approve Items b, c, e and f was made by Councilman Kenyon and was seconded by Councilmember Atchison. There being no discussion, the Mayor called for the vote. **The motion passed 4-0.** Councilman Kenyon asked when the scanning and indexing would be completed, and Mr. Bradshaw said that this was an ongoing effort, as each set of plans in the past and the future would be recorded on this medium for preservation. So far we have spent about \$58,000, Mr. Jefferson added, and we would be spending about \$7,000 - \$8,000 per year once the scanning is brought current.
3. **Mayor's Items.** Mayor Cadden said that there have recently been significant problems with the Public Safety building, and after careful study and judgement, the air conditioning system needs to be replaced on an emergency basis. He continued by **stating that Mr. Jefferson would get three quotes, and authorized the expenditure of up to \$35,000 to replace the air conditioning system in the Public Safety building.**

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This motion was made by Councilman Kenyon, seconded by Councilmember Atchison. The Mayor called for the vote. The motion passed 4-0. Mr. Bradshaw noted that the expenditure would come from the Capital account.

4. **Planning, Zoning and Variance Board.** Chairman Gerry Weick brought the following three items before the Council.

- a. Concurrence of Board Approval of conceptual plan for John's Island Beach Club & Clubhouse. The plans have been approved by the PZ&V Board to tear down and replace the John's Island Beach Club with a new building and parking area. A representative from John's Island was available for questions. Mr. Kenyon asked if we had enough staff to keep checking the construction as it progressed. Mr. Weick and Mr. Jefferson both agreed that there will be a professional inspector on the job everyday, and he reports to the Town and submits reports daily. **A motion was made by Councilman Kenyon and seconded by Councilmember Atchison for concurrent approval of the conceptual plan for John's Island Beach Club and Clubhouse.** The motion passed 4-0 by voice vote.
- b. Concurrence of Board Approval of conceptual site plan for Phase II C&D, River Club at Carlton. Mr. Weick said that he believes this is the final phase at Carlton, with the number of homes reduced by 3 to 196 in order to make some lots bigger along the lakefront. This is an improvement to the previous plan. David Knight was present to answer any questions, and there being none, **Councilman Kenyon made a motion of concurrent approval of the conceptual site plan for Phase II C&D of the River Club at Carlton,** and was seconded by Councilman Becker. There was no discussion, and the motion passed 4-0.
- c. Concurrence of Board approval of final plat review for The Providence Subdivision. The Phase I oceanside portion is included in this plat, Mr. Weick explained, and Mr. Knight was once again available for questions. Mayor Cadden asked if this was any change from what had been previously approved by the Town, and Mr. Weick said that this had more details on A-1-A, landscaping, entranceways, and construction procedures (e.g., no parking on A-1-A). **A motion was made by Councilman Kenyon and seconded by Councilmember Becker to give concurrent approval of The Providence final plat.** The motion carried 4-0 by voice vote.

5. **Town Attorney.**

- a. **Ordinance No. 482 – Pension Plan.** Mr. Clem performed the first reading of this ordinance as written below, explaining that the pension plan had already been adopted by Resolution, but it was determined to exercise caution by adopting it also by ordinance. He then read the ordinance by title:

**AN ORDINANCE OF THE TOWN OF INDIAN RIVER SHORES
RESTATING THE TERMS OF THE TOWN OF INDIAN RIVER
SHORES PENSION PLAN AND THE TERMS OF THE TOWN OF
INDIAN RIVER SHORES DEFINED BENEFIT PENSION PLAN;
PROVIDING FOR SEVERABILITY; PROVIDING FOR
CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

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This will be effective upon passing, but the changes of the Pension and Defined Benefit plan changes have been effective since the Resolution was passed.

Councilman Kenyon, supported by Councilman Becker, made a motion to accept the first reading of Ordinance No. 482. A roll-call vote was taken:

Aye: Councilman Kenyon, Councilman Becker, Councilmember Atchison, and Mayor Cadden.

Nay: None. **The motion passed 4-0.**

- b. Public Hearing and First Reading of Ordinance No. 478-A. Mr. Clem explained that this is something that was already passed as Ordinance 478. It was part of the rezoning of the Providence, which has been annexed into the Town. There are two parts of this property, with one of the sections newly annexed into the Town and one that is already a part of the Town. On the original ordinance, the title only addressed the part that was being annexed in, inadvertently omitting the portion that was already in Town. This is to clarify that omission.

The Public Hearing was opened at 3:42 p.m. Mayor Cadden apologized to the developers that this occurred, and hoped that it did not cause any inconvenience on their part. Mr. Knight assured him that there was no inconvenience caused by this delay. There being no further discussion, **the Public Hearing was closed at 3:44 p.m.**

The first reading of Ordinance 478-A was then performed by Mr. Clem as printed below:

AN ORDINANCE OF THE TOWN OF INDIAN RIVER SHORES, FLORIDA, REPEALING ORDINANCE NO.478 AND APPROVING THE REQUEST BY VERO BEACH ESTATES DEVELOPMENT, LLC, TO AMEND THE ZONING MAP OF THE TOWN BY REZONING CERTAIN REAL PROPERTY, LOCATED SOUTH OF INDIAN TRAILS SUBDIVISION AND OCEAN PEARL SUBDIVISION, AND NORTH OF PALM ISLAND PLANTATION SUBDIVISION AND CARLTON VERO BEACH SUBDIVISION WITHIN THE INCORPORATED LIMITS OF THE TOWN OF INDIAN RIVER SHORES AND HAVING THE TAX PARCEL ID#'S 31-39-36-00000-0050-00004.0, 31-39-36-00000-0060-00002.0, 31-39-36-00000-0070-00004.0, 31-39-36-00000-0070-00006.0 AND AS MORE FULLY DESCRIBED IN EXHIBIT "A", AS "PLANNED RESIDENTIAL DEVELOPMENT (PRD)"; AND PROVIDING AN EFFECTIVE DATE.

A motion was made by Councilmember Atchison and seconded by Councilman Kenyon to approve the first reading of Ordinance 478-A. The Town Clerk then called the vote by name.

Aye: Councilman Kenyon, Councilman Becker, Councilmember Atchison, and Mayor Cadden.

Nay: None. The motion passed 4-0.

Mr. Clem added that there will be a Public Hearing at our next meeting on 11-17 with the 2nd reading to follow.

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6. **Town Manager.**

- a. Treasure Coast Refuse Fuel Surcharge (Todd Westover, General Manager)
- b. Authority to Purchase 2 Public Safety Vehicles
- c. Authority to purchase Thermal Imaging Camera for PSD
- d. Authority to purchase 6 Automatic External Defibrillators for EMS
- e. Meeting Dates for November 2005 through December 2006

Mr. Bradshaw said that Item “a” and “d” were pulled from this agenda and may be placed on an agenda in the future.

- b. Authority to Purchase 2 Public Safety Vehicles. Mr. Bradshaw said that this is part of the normal rotation to bring in two new cars each budget year. We had budgeted \$54,000, and the total cost for these two cars is \$46,066 for two new Crown Victoria police interceptors. **Councilman Becker, supported by Councilman Kenyon, made a motion to approve the purchase.** With discussion opened, Councilman Kenyon and Mr. Bradshaw clarified that we have a constant inventory. There being no further discussion, the motion was put to vote. Ayes: All present. Nays: None. **The motion passed 4-0.**
- c. Authority to purchase Thermal Imaging Camera for PSD. We have received two bids, and with \$9,000 budgeted, the low bid being \$8,925. **Councilman Becker made a motion to approve the expenditure of \$8,925 for a thermal imaging camera for the Public Safety Department,** seconded by Councilmember Atchison. Councilmember Kenyon asked how a need was established for this item, and Chief Cox said that firefighters use the camera to detect hot spots and to see through the drywall or ceilings to find the fire rather than tearing down walls. Following the hurricanes last year, there were several instances of electrical systems that were “charged” behind the walls, and it also leads to the seat of the fire through heavy smoke. Mayor Cadden called for the vote, which was 4-0 in favor of the motion.
- e. Meeting Dates for November 2005 through December 2006. This is to confirm the dates for November and December meetings, to be held on the third Thursday rather than the fourth Thursday in these months due to the holidays. Councilman Becker asked if the adjustments were made for 2006 as well, and the Town Clerk said that she thought that they had been. It was determined that the month of December 2006 should have the meeting on December 14th rather than the 21st as shown. Mayor Cadden mentioned that he had a conflicting meeting schedule for the November 17, 2005 meeting and would not be available for the Town Council.

7. **Call to Council**

- a. Committee Reports.
Council of Public Officials (COPO). Councilman Kenyon said that they did not have the meeting as scheduled, but would probably meet prior to the November Town Council meeting. He also addressed the hurricane debris along A1A, stating that last year much unauthorized trash was placed there. This year, Mr. Kenyon questioned, would the Public Safety Department be keeping a close eye to prevent this? Mr. Bradshaw replied that all debris piles that are there now the

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Town is aware of, and the property or homeowners associations would be contacted for removal as it is in the DOT right-of-way. We will not be picking it up, he continued, adding that the Town has ordinances in place that allow us to enforce this. Gerry Weick asked about someone else dumping in front of gated communities, and Mr. Bradshaw reiterated that we know what is allowable and who is dumping where. Councilman Kenyon concluded that if we keep it clear, there is less likelihood of unauthorized dumping. Mayor Cadden added that the Chief was on top of the situation.

- b. Metropolitan Planning Organization - Dr. Becker reported that the MPO had a three hour meeting, and provided a handout to the Council, noting that the MPO website had more details of the meeting. The 2030 Long Range Transportation Plan for the County is developed by the MPO, and Dr. Becker said that the *needs* plan versus the *cost affordable* plan were major topics, as well as what to do around Royal Palm Boulevard and Indian River Boulevard's planned 6-laning of certain sections. The consensus about Indian River Boulevard was to 6-lane it only between the 5-point intersection at Royal Palm Boulevard and 37th Street. Another topic was how to decrease the traffic on Indian River Boulevard from its projected 50,000 – 60,000 trips per day. Approximately 7,000 of these trips are proposed to be diverted if Aviation Boulevard were to be enlarged to extend across U.S. 1, then bend north of the Vero Beach Country Club and empty onto Indian River Boulevard just south of 37th Street. This was the final plan.
- c. Beach and Shores Preservation – Mr. Ahrens was not present to report.
- d. Land Acquisition Advisory Committee. Councilmember Atchison reported that the LAAC meeting was cancelled. She then complimented and congratulated Robert Bradshaw, Chief Cox, Richard Jefferson, and all of the employees of the Town on their involvement with the hurricane plan, which helped to calm her fears so she could hang around during the storm to disseminate information to residents. She thanked them for a superb job.
- e. FLC Board of Directors. Mayor Cadden reported that the Board meeting had been rescheduled from Key West to Tampa on the 5th of November. He added that the use of the phone system was excellent during the hurricane, and had called in a couple of times and was pleased with the information.

Call to Audience. No response.

9. **Adjournment**

There being no other items to discuss, the meeting adjourned at 3:57 p.m.

/s
Laura Aldrich, Town Clerk

(Approved by the Town Council at the 11-17-05 meeting)

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